

UNITED STATES FEDERAL COURT
DISTRICT OF MASSACHUSETTS

STEVEN A. FLORIO,

Plaintiff

v.

COMMONWEALTH OF MASSACHUSETTS,
GOVERNOR CHARLES E. BAKER,

individually

and in his official capacity,

MARYLOU SUDDERS, individually and

in her capacity as Secretary of Health and

Human Services,

CATHERINE STARR, individually and in her

capacity as Secretariat Human Resources

Officer and ERICA CRYSTAL, individually and in

her capacity as Executive Office of Health and

Human Services Labor Relations Director and

Deputy General Counsel for the Commonwealth

of Massachusetts,

Defendants


C.A. NO. 1:21-CV-10665-IT

**AGREED ~~PROPOSED~~ PARTIAL ORDER ON DEFENDANTS'
MOTION TO DISMISS**

Having considered the parties' Notice Pursuant to Local Rule 7.1 of Resolution of Part of the Defendants' Pending Motion to Dismiss, the Court enters the following Order on the Defendants' Motion to Dismiss:

Counts 1, 2, 3, 4 and 7 of the Plaintiff's First Amended Complaint are dismissed without prejudice, preserving any rights the plaintiff may have to file those claims in state court. For the remaining Counts (5 and 6), the Commonwealth is dismissed as a Defendant and Plaintiff agrees that he is not seeking monetary damages against the individual Defendants in their official capacity.

Except as stated herein, the Defendants' Motion to Dismiss remains pending.


Indira Talwani
Judge, United States District Court

9/8/2021